THE HON'BLE Ms. JUSTICE G. ROHINI

WRIT PETITION No.13327 OF 2006

ORAL ORDER:

This writ petition filed seeking a declaration that the action of the respondents in seizing and detaining petitioner's vehicle bearing Registration No.A.P. 35-T-5115 vide vehicle check report No.2859276 dated 15.6.2006, is arbitrary and illegal.

The check report dated 15.6.2006 shows that the vehicle was seized under Section 207 (1) of the Motor Vehicles Act, on the allegation that there was no RC., IC., Permit, PUCC., no passengers in the vehicle, and proof of payment of tax, FC., was not produced.

Having regard to the nature of the controversy involved and having heard learned Government Pleader appearing for Transport and keeping in view that the allegations are required to be enquired into by the competent authority, I deem it appropriate to direct the respondents to release the vehicle in question, subject to the condition that the petitioner deposits a sum of Rs.10,000/- (rupees ten thousands only), and also furnishing an undertaking that he will not alienate, transfer, encumber or create any third party interest over the vehicle in question till final orders are passed. It is made clear that the amount deposited in pursuance of the orders of this Court shall be subject to the out come of the enquiry.

Accordingly, the writ petition is disposed of leaving it open to respondents to proceed with the enquiry in accordance with law. No costs.

(G. ROHINI, J.)

3rd July, 2006.
Kgr.

THE HON'BLE Ms. JUSTICE G. ROHINI

WRIT PETITION No.13327 OF 2006

3rd July, 2006.

Between:

A.S.V. Prasad. ….Petitioner.

And

Deputy Transport Commissioner &
Secretary, Regional Transport Authority,
Srikakulam, Srikakulam district
and another. .. Respondents.

-